

HOUSE BILL 2443

By Shaw

AN ACT to amend Tennessee Code Annotated, Title 4 and
Title 71, relative to the status of caregivers for
public assistance programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-104, is amended by adding the
following as a new subsection:

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(1) Notwithstanding this part and in addition to any other exemption
provided by subdivision (h)(3), a long-term caregiver is considered employed for
the purposes of subsection (g) if the caregiver is caring for a spouse, child,
sibling, parent, or grandparent. The caregiver is to be responsible for the care of
the spouse, child, sibling, parent, or grandparent. As a work registrant under this
section, the caregiver does not need to be in the same assistance unit or reside
in the same home as the spouse, child, sibling, parent, or grandparent. This
exemption applies to exempt a caregiver as a work registrant when the amount
of care provided is equal to or more than the hours of work required under
federal or state law.

(2) The department shall promulgate a document that the department
can retain in its files that certifies a person as a caregiver on the basis of a
physician's signed certification that the person is a caregiver. The form must
identify by name the caregiver and the spouse, child, sibling, parent, or
grandparent for whom care is provided.

SECTION 2. Tennessee Code Annotated, Section 71-5-305, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

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(1) Notwithstanding this part, a long-term caregiver is considered employed for the purposes of eligibility and compliance with work requirements under this part if the caregiver is caring for a spouse, child, sibling, parent, or grandparent. The caregiver is to be responsible for the care of the spouse, child, sibling, parent, or grandparent. As a work registrant, the caregiver does not need to be in the same food assistance unit or reside in the same home as the spouse, child, sibling, parent, or grandparent. This exemption applies to exempt a caregiver as a work registrant when the amount of care provided is equal to or more than the hours of work required under federal or state law.

(2) The department shall promulgate a document that the department can retain in its files that certifies a person as a caregiver on the basis of a physician's signed certification that the person is a caregiver. The form shall identify by name the caregiver and the spouse, child, sibling, parent, or grandparent for whom care is provided.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.